

BOARD OF ADJUSTMENT
Zoning Administration Division
Development Services Department (DSD)
201 North Stone Avenue, Tucson, Arizona 85701

***** NOTICE OF DECISIONS *****

DATE OF PUBLIC HEARING DECEMBER 17, 2008

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J)&(K).

CASE NO. _____ THE APPLICANT _____

**C10-08-18 MOUNTAIN AND GLENN DUPLEX UNITS, LOT 1 AND LOT 2/CITY LOTS,
LLC, 1218 AND 1226 EAST GLENN STREET, R-2**

The project site located on the southwest corner of North Mountain Avenue and East Glenn Street is comprised of two lots proposed for development with a duplex on each lot. The proposed development requires compliance with all *Land Use Code (LUC)* development criteria applicable to new construction. *LUC* Sections applicable to this project include, but are not limited to Section 2.3.5 which provides criteria for residential development in the R-2 “Residential” zone, Sections 3.2.3 and 3.2.6 which provide the development criteria for perimeter yard (setback) requirements applicable to all principal and accessory structures, and Section 3.2.8 which provides the access requirements for these lots. The applicant is requesting the following variances: **1)** Lot 1: Reduce the west perimeter yard (setback) from fifteen feet nine inches (15’9”) to fourteen (14’) feet; **2)** Lot 2: Reduce the east perimeter yard (setback) from fifteen feet nine inches (15’9”) to fourteen (14’) feet; **3)** Allow primary access to both lots via the public alley (PAAL); and, **4)** Allow the Parking Area Access Lane (PAAL) a reduced width, as shown on the submitted plans.

DECISION: VARIANCES 1, 2, 3, AND 4 GRANTED SUBJECT TO THE FOLLOWING CONDITION:

A. Alley surface as approved by City Engineer.

[DECISION NOTE]

By LUC regulation, a building permit or development approval based upon a Board of Adjustment decision cannot be issued, until a minimum of fourteen (14) days after the Board's decision date.

IMPORTANT NOTICE

FOR VARIANCES OR DESIGN DEVELOPMENT OPTIONS (DDO) GRANTED BY THE ACTIONS OF THIS BOARD: IF A BUILDING PERMIT IS REQUIRED FOR THE PROJECT ASSOCIATED WITH THE VARIANCE OR DDO, IT MUST BE SECURED FROM THE DEVELOPMENT SERVICES DEPARTMENT (DSD) WITHIN 180 DAYS OF THE HEARING DATE.

VARIANCE AND DDO APPROVALS EXPIRE WITHIN 180 CALENDAR DAYS FROM THE DATE OF THIS MEETING. TWO ADDITIONAL (180 DAY) EXTENSIONS MAY BE GRANTED PROVIDED THERE IS GOOD CAUSE AND THE REQUEST IS MADE IN WRITING.

UNLESS OTHERWISE NOTED, BOARD OF ADJUSTMENT DECISIONS BECOME EFFECTUATED UPON OBTAINING BUILDING PERMITS (IF REQUIRED) AND FULL COMPLIANCE WITH ALL CONDITIONS OF THE BOARD' DECISION.

THE 180 DAY TIME FRAME TO OBTAIN A BUILDING PERMIT DOES NOT APPLY WHEN THERE IS AN OUTSTANDING ZONING VIOLATION WHICH PRECIPITATED THE VARIANCE OR DDO REQUEST FOR THE PROPERTY. THE APPLICANT OR PROPERTY OWNER MUST CONTACT THE DEPARTMENT OF NEIGHBORHOOD RESOURCES FOR THE DATE THE ZONING VIOLATION MUST BE ABATED.

RECONSIDERATION: THE BOARD OF ADJUSTMENT MAY CONSIDER ONE REQUEST FOR RECONSIDERATION BY THE APPLICANT OR A PARTY OF RECORD, PROVIDED: A) A WRITTEN REQUEST IS FILED WITH THE ZONING ADMINISTRATOR WITHIN FOURTEEN (14) CALENDAR DAYS AFTER THE BOARD HAS RENDERED ITS DECISION, AND B) THE REQUEST IS BASED UPON NEW EVIDENCE OR MATERIALS WHICH WERE NOT PRESENTED AND COULD NOT HAVE BEEN REASONABLY PRESENTED AT THE PUBLIC HEARING ON THE CASE.

APPEALS OF THE BOARD'S DECISION: MUST BE FILED WITH PIMA COUNTY SUPERIOR COURT WITHIN THIRTY (30) CALENDAR DAYS AFTER THE BOARD HAS RENDERED ITS DECISION.

If you want further information, please call Russlyn Wells at 837-4948 or Wayne Bogdan at 837-4946.

**Sue Montes, Secretary
Board of Adjustment**